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Patent
Attorney's Docket No. 000475-205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Harrison, et al.)

Application No.: 08/858,087)

Filed: May 16, 1997)

For: MICROFLUIDIC SYSTEM AND)
METHODS OF USE)

Group Art Unit: 1641

Examiner: Chin, Christopher L.

Confirmation No.: 4960

SUBMISSION OF TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Attached please find an executed Terminal Disclaimer in connection with the application identified above.

A check for [] \$55.00 (2814) [X] \$110.00 (1814) to cover the requisite Government fee is also attached. The Commissioner is authorized to charge any fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)
000475-205

In re Application of: Harrison, et al.
Application No.: 08/858,087
Filed: May 16, 1997
For: MICROFLUIDIC SYSTEM AND METHODS OF USE

The owner*, The Governors of the University of Alberta and Alberta Research Council of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending second application, Application Number 09/080,546, filed on May 18, 1998, the term being defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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2. ☒ The undersigned is an attorney of record.

October 21, 2002
Date

David Heckadon
Signature

David R. Heckadon
Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.37(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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